

FILED 08 JAN 09 12:27 USDC-ORN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LENNIE TY DAVIDSON,
Plaintiff,

Civ. No. 07-3085-CL

v.

ORDER

TED KULONGOSKI,

Defendant.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed Findings and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff has not filed objections, although he has filed a response to the Findings and Recommendation, stating, "I respect your findings in this matter, and I will at this time drop this case."

I have considered plaintiff's complaint and his response, and I have reviewed the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983). I find no error in the Findings and Recommendation. Accordingly,

I ADOPT the Findings and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Findings and Recommendation (#4) is adopted. Plaintiff's complaint is dismissed with prejudice for failure to state a claim and as frivolous.

IT IS SO ORDERED.

DATED this 9 day of January, 2008.

A handwritten signature in cursive script, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE